IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT

BILASPUR

Writ Petition NO. 1767/2002

Petitioner : Ghanshyam Bansal S/o late C.R.Bansal, aged about 52 years R/o Jaisthumb Chowk, Ambikapur, Dist : Surguja – (C.G.)

Versus

Respondents : 1. State of Chhattisgarh through the Secretary Department of Home Mantralaya, DKS Building, Raipur – (C.G.)

2. The Regional Manager, Krishi Jalvayu Kshetriya Pariyogna, Bilaspur – (C.G.)

3. The RTO Office, Bilaspur-(C.G.)

P.R. No. 1732/02
Presented by Shri ... Advocate
dated ... 28.8.02

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(96)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 1767 सन् 2002

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22/01/2003 Shri Gautam Kshetrapal, counsel for the petitioner. Shri Ranbir Singh, GA for the State. Heard. Considering the limited nature of the dispute involved in this writ petition and as agreed to by counsel for the parties, this matter is being disposed of at the admission stage. It is not disputed that the respondent no.2 had invited tenders for auction of Kandum Mahendra Jeep bearing Nos. MPZ 4205, MPZ 2826 and CPZ 1678. It was also not disputed that the petitioner offered the highest bid, which was accepted and the possession of the said three vehicles was handed over to him. However, with respect to vehicle Nos. MPZ 2826 the registration book was not delivered to the petitioner on the ground that it is not available in the department. It is the case of the petitioner that for want of registration books over last two years, he has not been able to make use of vehicles and is suffering loss. Accordingly, he has approached this Court for issuance of a direction commanding the respondent No.2 to hand over the registration certificate / book of the vehicle in question to the petitioner. Having heard learned counsel, the contention raised by the petitioner needs to be accepted. Since his bid was accepted and the vehicles were sold to him, it was the duty of the respondent no.2 to deliver all necessary documents relating to the vehicles as are required to be maintained under the Motor Vehicles Act.	

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(21)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(C) No. 1762 / सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

If the registration book was not available or misplaced it was the duty of the respondent no.2 to have obtained a duplicate registration book of a particular vehicle / documents from the concerned RTO and to have handed over the same to the petitioner. Obviously, the respondent no.2 has failed to discharge his obligation. Accordingly, this writ petition is disposed of by directing the respondent no.2 to take prompt and immediate steps to trace out the original book of vehicle MPZ 2826 and hand it over to the petitioner or take steps to obtain a duplicate R.C. book and deliver it to the petitioner. This should be done within a period of four weeks from today.

With the above observations and directions, this writ petition is disposed of. Consequently, I.A.No. 5776/2002 for urgent hearing also stands disposed of.

Sd/-
P. C. Naik
Judge

Rajn

[पीछे देखिये